

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

JORDAN DAVID KNIPPLING,

Petitioner,

v.

MONROE CORRECTIONAL COMPLEX,

Respondent.

Case No. C10-5599BHS/JRC

ORDER TO FILE AN
AMENDED PETITION

The petitioner in this action is seeking a habeas corpus relief from a state conviction. Thus, the petition is properly considered pursuant to 28 U.S.C. § 2254. Petitioner has named the Monroe Correctional Complex as the respondent.

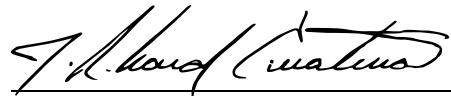
A proper respondent is “the person having custody of the person detained.” 28 U.S.C. § 2243. This person typically is the superintendent of the facility in which the petitioner is incarcerated. Failure to name the petitioner’s custodian deprives federal courts of personal jurisdiction. Stanley v. California Supreme Court, 21 F.3d 359, 360 (9th Cir. 1994).

Petitioner is directed to file an amended petition on the form provided by the court.

1 The amended petition will act as a complete substitute for the original. The amended petition
2 will be due on or before October 15, 2010. Failure to comply with this order will result in a
3 Report and Recommendation that this action be dismissed

4 The Clerk is directed to mail a copy of this Order to petitioner and note the October 15,
5 2010 deadline on the court's calendar.

6 Dated this 16th day of September, 2010.
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11 J. Richard Creatura
12 United States Magistrate Judge
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